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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,001	11/21/2001	Futoshi Hachimura	B422-176	6301

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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/990,001	Applicant(s) HACHIMURA, FUTOSHI	
	Examiner Longbit Chai	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is acknowledged.

The application is filed on 11/21/2001 but has a foreign priority application filed on 11/28/2000.

Claim Objections

2. Claim 2 is objected to because of the following informalities: "means decrypts said encrypted E-mail" should be "means for decrypting said encrypted E-mail". Appropriate correction is required.

1. Any other claims not addressed are objected by virtue of their dependency (and the same type of errors shown in elsewhere in the claims) should also be corrected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 3, 6 – 16 and 19 – 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson (Patent Number: 2002/0052923).

As per claim 1, 14, 27 and 29, Anderson teaches a communication system having a server for providing a Web E-mail service (Anderson: see for example, Para [0002] Line 3) to a client, wherein said server comprises:

management means for managing a key for decrypting an encrypted E-mail (Anderson: see for example, Para [0002] Line 3, Para [0004] Line 10 – 21 and Para [0006] Line 1 – 15: the Email server manages the key by authenticating the clients for access permission to Email);

decrypting means for decrypting said encrypted E-mail using said managed key (Anderson: see for example, Para [0006] Line 12).

transmission control means for controlling said decrypted E-mail thereby to transmit said decrypted E-mail to said client through a Web (Anderson: see for example, Para [0019] Line 6 – 10: to deliver the E-mail across the network such as internet URL (HTTP) through various nodes and links until it reaches the recipient users).

As per claim 2 and 15, Anderson teaches the claimed invention as described above (see claim 1 and 14 respectively). Anderson further teaches said server further comprises:

authentication means for executing authentication of the use allowance of said key to said client (Anderson: see for example, Para [0006] Line 9 – 15: the use allowance depends on the authentications).

said decrypting means decrypts said encrypted E-mail in the case where the use allowance is authenticated by said authentication means (Anderson: see for example, Para [0006] Line 12).

As per claim 3 and 16, Anderson in view of Beck teaches the claimed invention as described above (see claim 2 and 15 respectively). Anderson further teaches said authentication means provides said client with a window data to authenticate the use allowance of said key (Anderson: see for example, Para [0005] Line 7 – 8: password would need a window data).

As per claim 6 and 19, Anderson in view of Beck teaches the claimed invention as described above (see claim 1 and 14 respectively). Anderson further teaches said server further comprises encryption communication means for establishing and communicating a Web encryption communication when communicating with said client through the Web (Anderson: see for example, Para [0019] Line 6 – 10: URL @ HTTP / SSL encryption as to be the standard protocol layer).

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As per claim 7 and 20, Anderson in view of Beck teaches the claimed invention as described above (see claim 2 and 15 respectively). Anderson further teaches said server further comprises:

encryption communication means for establishing and communicating the Web encryption communication when communicating with said client through the Web (Anderson: see for example, Para [0019] Line 6 – 10: to deliver the E-mail across the network such as internet URL (HTTP) through various nodes and links until it reaches the recipient users), and

transmission means for transmitting the use allowance by said authentication means and the E-mail decrypted by said decrypting means to said client after the Web encryption communication is established by said encryption communication means (Anderson: see for example, Para [0006] Line 9 – 15 and Para [0019] Line 1 – 10).

As per claim 8 and 21, Anderson teaches the claimed invention as described above (see claim 7 and 20 respectively). Anderson further teaches said authentication means authenticates the use allowance of said key in units of a session of an encryption communication continuously established between said client and a server (Anderson: see for example, Para [0006] Line 11 – 12 and Para [0019] Line 1 – 10: a session is interpreted as to access the Email message after the authentication of the client).

As per claim 9 and 22, Anderson teaches the claimed invention as described above (see claim 8 and 21 respectively). Anderson further teaches said authentication means stops said authenticated use allowance, in the case where at least either the case where said encryption communication is ended with an error or the case where said encryption communication has passed a fixed time is satisfied (Anderson: see for example, Para [0018] the last 2nd sentence).

As per claim 10 and 23, Anderson teaches the claimed invention as described above (see claim 1 and 14 respectively). Anderson further teaches said server further comprises signature means for executing a digital signature to an E-mail required for the digital signature by said client (Anderson: see for example, Para [0022] Line 18 – 19 and Para [0027] Line 1 – 10).

As per claim 11 and 24, Anderson teaches the claimed invention as described above (see claim 1 and 14 respectively). Anderson further teaches said server further comprises:

management means for managing whether said key is under multiple use, an said management means comprises stop means for stopping the use allowance of said session under multiple use in the case where said session is judged to be under multiple use (Anderson: see for example, Para [0027] Line 5: The recipient's private key must not be used by others).

As per claim 12 and 25, Anderson teaches the claimed invention as described above (see claim 1 and 14 respectively). Anderson further teaches the key for decrypting said encrypted E-mail is a secret key in a code of a public key cryptosystem (Anderson: see for example, Para [0027] Line 5).

As per claim 13, 26, 28 and 30, Anderson teaches communication system comprising:

management means for managing a key for decrypting an encrypted E-mail; (Anderson: see for example, Para [0002] Line 3, Para [0004] Line 10 – 21 and Para [0006] Line 1 – 15: the Email server manages the key by authenticating the clients for access permission to Email);

decrypting means for decrypting said encrypted E-mail using said managed key (Anderson: see for example, Para [0006] Line 12);

a client receiving a Web E-mail service from a server including transmission control means for controlling said decrypted E-mail so as to transmit to said client through the Web (Anderson: see for example, Para [0019] Line 6 – 10: to deliver the E-mail across the network such as internet URL (HTTP) through various nodes and links until it reaches the recipient users); and

wherein said client comprises the use allowance means for executing use allowance of the key for decrypting said encrypted E-mail to said server (Anderson: see for example, Para [0006] Line 10 – 11), and receiving means for receiving the E-mail

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decrypted by said server through the Web (Anderson: see for example, Para [0019]

Line 6 – 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (Patent Number: 2002/0052923, in view of McArdle (Patent Number: 6442686).

As per claim 4 and 17, Anderson teaches the claimed invention as described above (see claim 2 and 15 respectively). Anderson does not disclose expressly said authentication means authenticates the use allowance using a passphrase inputted from said client.

McArdle teaches said authentication means authenticates the use allowance using a passphrase inputted from said client (McArdle: see for example, Column 2 Line 11 – 18).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of McArdle within the system of Anderson because McArdle teaches providing enhancing security with a Policy Management Agent to ensure the E-mail must adhere to the policies associated with the E-mail server (McArdle: see for example, Column 3 Line 25 – 30).

5. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (Patent Number: 2002/0052923, in view of Baxter (Patent Number: 6385306).

As per claim 5 and 18, Anderson teaches the claimed invention as described above (see claim 2 and 15 respectively). Anderson does not disclose expressly said authentication means authenticates the use allowance using a biometrics information inputted from said client.

Baxter teaches said authentication means authenticates the use allowance using a biometrics information inputted from said client (Baxter: see for example, Column 5 Line 45 – 56).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baxter within the system of Anderson because Baxter teaches providing enhancing security by using speech recognition for validating the authenticity of the subscriber record and authorizing the transmission of the E-mail message (Baxter: see for example, Column 5 Line 49 – 56).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC 


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